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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,378	03/12/2004	William Chenevich	055555-0233	7289
23524	7590	06/29/2007	EXAMINER	
FOLEY & LARDNER LLP			TIMBLIN, ROBERT M	
150 EAST GILMAN STREET			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/799,378	CHENEVICH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Robert M. Timblin	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 09 April 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

This Office Action corresponds to application 10/799,378 filed 3/12/2004.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/9/2007 has been entered.

### ***Response to Amendment***

Amendments to claims 1-4, 7, and 10-20 have been entered. Accordingly, claims 1-25 remain pending in this application.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Specifically, the phrase "can" and "can be" in the last step of claims 1 and 10 renders these claims indefinite as suggesting that the following steps may be optional and not clearly required.

Claim 5 recites the limitation "automatic filing" in the first line. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-8, 10-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Jensen et al ('Jenson' hereafter) (U.S. Patent Application 2004/0243494). In the following citations, Jenson teaches:

With respect to claim 1, A method of storing, creating, and organizing financial information electronically, the method comprising:

establishing a communication session between a first system and a second system (paragraph 0078 and Figures 1 and 9);

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communicating information associated with a financial document from the second system to the first system the financial document associated with a first account (abstract, 0005, 0022);

at the first system, associating the financial document with a folder (abstract), the folder being one of a plurality of folders defined by a customer user associated with the first account to organize a plurality of financial documents (0019, 0085, and figures 13-14); and

providing an online environment in which the customer user can organize (0001), send (0011), search (0019), create (abstract), and save (abstract and 0019) the financial information (0005, 0023, and figure 1).

With respect to claim 2, the method of claim 1, wherein the financial document includes credit card payments, debit card transactions, imaged checks, electronic bill payments or account statements (0024, figure 12).

With respect to claim 3, the method of claim 1, wherein associating the financial document with a folder in the first system comprises filing the financial document into the folder based on instructions from the customer user when the financial information is viewed (abstract).

With respect to claim 4, the method of claim 1, wherein associating the financial document with a folder in the first system comprises automatically associating the

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financial document with a folder upon receipt without human intervention (0083, figure 11).

With respect to claim 7, the method of claim 1, further comprising retrieving documents based on a document storage time stamp, date last accessed, date posted, dollar amount, group, or category (0022, 0027).

With respect to claim 8, the method of claim 1, further comprising communicating financial information from a third system to the first system corresponding to the first account, wherein the third system and the second system contain separate and distinct accounts associated with the customer user (0005).

With respect to claim 10 a system for storing, creating, and organizing financial information associated electronically, the system comprising:

a host computer coupled to a network and running programmed instructions to provide reporting and folder operations (figures 1, 9); and

a customer user computer connectable to the network, the customer user computer communicating customer user information to the host computer (0006, figure 1);

wherein the host computer provides an on-line environment (0005, 0023, and figure 1) for a customer user to organize (0001), send (0011), search (0019), create (abstract), and save financial information (abstract and 0019) using a hierarchy of

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folders defined by the customer user (figures 13-14), wherein each folder in the hierarchy of folders includes a financial document that includes multiple indicators, whereby searches can be done across folders (0019, 0023, figure 14).

With respect to claim 11, the system of claim 10, wherein the financial document includes credit card payments, debit card transactions, imaged checks, electronic bill payments or account statements (0024, figure 12).

With respect to claim 12, the system of claim 10, wherein financial document is associated with a folder based on instructions from the customer user when the financial information is viewed (figure 14).

With respect to claim 13, the system of claim 10, wherein financial document is associated with a folder automatically upon receipt based on user-defined criteria (abstract).

With respect to claim 14, the system of claim 10, wherein the multiple indicators include document storage time stamp, date last accessed, date posted, dollar amount, or category (0027).

With respect to claim 15, A system of storing, creating, and organizing financial information electronically, the system comprising:

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means for establishing a communication session between a first system and a second system (0078 and Figures 1 and 9);

means for communicating information associated with a financial document from the second system to the first system the financial document associated with a first account (abstract, 0005, 0022); and

means, at the first computer, for associating the financial document with a folder (abstract), the folder being one of a plurality of folders, categories or groups being associated with each other in a hierarchical manner, wherein the plurality of folders, are defined by a customer user associated with the first account to organize a plurality of financial documents (0019, 0085, and figures 13-14).

With respect to claim 16, he system of claim 15, wherein the associations of the plurality of folders can be dynamically modified by the customer user (figure 13).

With respect to claim 17, he system of claim 15, further comprising means for conducting a multi-dimensional search of the plurality of folders (0026).

With respect to claim 18, he system of claim 17, wherein the multi-dimensional search searches financial information in the plurality of folders based on multi-dimensional indicators, whereby the customer user can search and retrieve financial information based on any combination of search criteria (0019, 0020, 0026).

With respect to claim 19, the system of claim 15, wherein the associations of the financial information with one or more folders in the plurality of folders are made when the first computer receives the financial information (0083, figure 11).

With respect to claim 20, the system of claim 15, wherein the associations of the financial information with one or more folders in the plurality of folders are made at the instruction of the customer user (abstract).

With respect to claim 21, the system of claim 15, further comprising means for storing financial information from accounts at other financial institutions not associated with the first system or the second system (0005).

With respect to claim 22, the system of claim 15, further comprising means to store electronic copies of scanned documents (0005-0006, figure 12).

With respect to claim 23, the system of claim 22, wherein the scanned documents include notarized documents (figure 12).

With respect to claim 24, the system of claim 22, wherein the scanned documents include imaged checks (figure 12, drawing reference 1220).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen as applied to claims 1-4, 7-8, 10-24 above in view of Chancey et al. ('Chancey' hereafter )(U.S. Patent 5,842,185).

With respect to claim 5, Jensen fails to explicitly teach automatic filing is based on pre-established criteria.

Chancey, however, teaches automatic filing is based on pre-established criteria (col. 1 line 56-61) to enter information into the appropriate account.

In the same field of endeavor, (i.e. processing financial transactions), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Chancey would have given Jensen a further method of organizing financial information and automatic filing so that Jensen may efficiently store and index financial information.

With respect to claim 6 Jensen fails to teach the pre-established criteria includes merchant categories.

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Chancey, however, teaches the pre-established criteria includes merchant categories (col. 4 line 64-col. 5 line 12) for associating merchant codes with categories.

In the same field of endeavor, (i.e. processing financial transactions), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Chancey would have given Jensen a further method of organizing financial information and automatic filing so that Jensen may efficiently store and index financial information.

Claims 9 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen as applied to claims 1-4, 7-8, 10-24 above in view of Bacha et al. ('Bacha' hereafter) (U.S. Patent 6,950,943).

With respect to claim 9, Jensen fails to explicitly teach providing each of the plurality of folders with a public or private indication, the folders indicated as public being accessible by persons having a shared key given them by the customer user.

Bacha, however, teaches providing each of the plurality of folders with a public or private indication, the folders indicated as public being accessible by persons having a shared key given them by the customer user (col. 2 line 61-67, col. 4 line 34-40, and col. 6 line 16-23) for listing access privileges.

In the same field of endeavor, (i.e. processing financial information), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Bacha

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would have given Jensen further access privileges and access control to maintain security (i.e. needed by Jenson at [0079]).

As claim 25 contains essentially the same subject matter as claim 9, it is rejected equally.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Application 2003/0101115 to Reddy. The subject matter disclosed therein pertains to claims 9 and 25 (i.e. private folders).

U.S. Patent 5,890,905 to Bergman. The subject matter disclosed therein pertains to the pending claims (i.e. financial folders at figure 1B).

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000..

Robert M. Timblin



Patent Examiner AU 2167  
6/14/2007



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